G. R. [IX-5]

Previous references

1901-02

~~192~~

File No. 26

Serial Nos.

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Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

SUBJECT. Passing orders in the matter of the misc Jewels in the Gandlepet Taluk Treasury belonging to the late [illegible] Kimavad Gopal [illegible] [illegible] Taluk.

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ia of Mysore.

Record of enquiry—
(Vernacular correspondence)

Proceedings of the Government of His Highness the Maharaja of Mysore.

READ—

Correspondence ending with the following letter No. 262, dated 13th March 1902, from the Deputy Commissioner, Mysore District, reporting on the missing pearls, padakas, etc., of a real pearl necklace (deposited in the Gundlupet Taluk Treasury) belonging to the Sri Himavat Gopalaswami temple in the Gundlupet Taluk :—

1. With reference to the Proceedings of Government No. 780, dated the 23rd November 1901, and your docket No. 1373—29-93, dated 6th March 1902, I have the honor to forward herewith a memo, submitted by Mr. Mahomed Jaffer, Assistant Superintendent of Police, who had been deputed to inquire into the matter of the missing pearls, etc., of a pearl necklace belonging to the Sri Himavat Gopalaswami temple in the Gundlupet Taluk, together with the original record of the inquiry, and the explanations since obtained from Amildar Guru Rao and Sheristadar Mahomed Khan through the respective Deputy Commissioners of Tumkur and Kadur.

2. From the record of the inquiry it will be seen that the pearl necklace consisted of 318 pearls in 7 *ladis*, and 7 padakas set with rubies and emeralds, that 3 of the ladis are in tact, that 2 full ladis and 2 half ladis consisting of 105 pearls and 2 padakas are missing, that 2 ladis made up of false pearls, have been substituted for the latter, and that these two ladis bear marks of having been forcibly detached or torn from the necklace.

3. I have seen the necklace, and am of opinion that the present market value of the pearls may fairly be taken to be Rs. 5 each, and of the padakas Rs. 12 each. The loss sustained, therefore, is (105 x 5)=Rs. 525 plus Rs 24 (value of 2 Padakas), or in all Rs. 549.

4. I have gone over the record of the inquiry, and, for reasons which shall be presently given, I agree with Mr. Mahomed Jaffer that there is no sufficient evidence to render any official accountable, in a judicial trial, for the loss sustained.

5. The question then for consideration is who is accountable for the loss, viewing the matter as a case of simple bailment. There is no doubt that the necklace was allright when in March 1900 it was given out, or taken out, for repairs by Amildar Guru Rao, on his own responsibility. (See exhibits C and D) The note made by Mr. Guru Rao on exhibit C shows that the jewel, along with others, was repaired and returned to the Treasury on the 17th idem. On the 22nd of the same month the necklace was given out to Parpategar Tirumalachar for use in the temple, and he in his turn made it over to the temple Shanbhog Ramanna (since deceased) on the 24th (see exhibit A). The jewel along with others was returned to the Treasury on the 30th idem, and the note made on exhibit A by Sheristadar Mahomed Khan shows that the articles as per list A were received back at the Treasury. Subsequent to the 30th of March, the necklace does not appear to have ever been removed from the Treasury. It follows therefore that the necklace must have been tampered with either when taken out for repairs, or when given out to Parpategar Tirumalachar and by him to Shanbhog Ramanna (deceased) for use in the temple. Ramanna being dead, his evidence is not forthcoming. Tirumalachar is an old man, and is, in my opinion, morally incapable of tampering with the jewel. Nor could he or the deceased shanbhog have had sufficient opportunity to do so even if they were so inclined. It seems to me, therefore, highly improbable that the jewel was tampered with when given out to them for use in the temple.

6. The facts connected with the repairs, however, are very unsatisfactory, if not highly suspicious. The Amildar on his own responsibility undertook to have the necklace repaired, and went out of his way in collecting, by subscriptions, gold required for the repairs. He failed to report the matter to this office. The lists C and D in book No. 35 purport to show that the jewels (including the pearl necklace) which needed repairs had been entrusted to Bank Agent Ramakrishnaiya and Parpategar Tirumalachar, but both of them deny having taken charge of the jewels. They say that the Amildar Guru Rao himself got the repairs executed in a *Thotte* near his bath-room, but he denies having had charge of the jewels when under repairs, although he reluctantly admits that the repairs were executed in the house he occupied. According to the evidence on this point the repairs took nearly a week to complete, and the Amildar could not have been present throughout the execution of the repairs, and so he must have left the supervision to somebody else. The evidence points to shroff Subbanna as the person whom the Amildar used to trust even with the keys of the Muzrai box; and having regard to the conduct (both antecedent and subsequent as noted by the Assistant Superintendent in his memo) of this Subbanna, I suspect that he had a hand in the matter of tampering with the necklace. The fact that the gold wire with which the false pearls are strung together is precisely of the same quality as that with which the good pearls are strung gives rise to a strong suspicion that the goldsmith and Subbanna must have colluded together.

7. After the repairs had been completed and the necklace returned to the Treasury, I do not believe that it was ever examined and checked with reference to the details as to the number of ladis, pearls, padakas, etc. Nor was it possible to detect at a glance the substitution of false pearls which bear a close resemblance to the genuine pearls in the necklace. It is no wonder therefore, that the substitution of false pearls escaped detection when the jewel was returned to the Treasury not only after repairs but on the 30th of March 1900.

8. After the 30th of March 1900, the first time the box containing temple jewels was opened was on the 16th October 1901, when sheristadar Nanjundaiya took charge in consequence of Amildar Guru Rao's transfer to Kunigal. From Guru Rao's explanation it is clear that he did not formally hand over charge of the jewels to Nanjundaiya. The latter was comparatively new to the Taluk and had never before seen the jewels. After the day's work was over, and in lamp-light he went through the form of taking charge of the jewels in the absence of Guru Rao, without closely examining or checking them in reference to the original list, although he had Parpategar Tirumalachar and certain others to assist him, for neither he nor they least suspected that there was anything wrong.

9 As to when the two ladis of false pearls were detached there is no evidence. The circumstances give rise to a suspicion that it must have been done by the shroff who had access to the box when it was kept in the Treasure room detached from the big box in the course of removal from the old to the new Taluk Cutcherry.

10. The account book No. 36 shows that just after his transfer, and before leaving the station, Amildar Guru Rao made a valuable present to the temple in the shape of a 'Pitambara' in discharge of a vow. Having regard to this fact, and to his position in life, I cannot bring myself to believe that he was a party to the tampering with the jewel. I cannot at the same time acquit him of blame in that he had unauthorizedly taken out the necklace and had it in his house for nearly a week, without taking due precautions against tampering, and in that he failed to formally examine and hand over the jewels to Sheristadar Nanjundaiya when the latter relieved him. I would, therefore, beg to recommend that Amildar Guru Rao be directed to make good the loss sustained, *viz.*, Rs. 549.

11. Sheristadar Nanjundiah must also be held to blame for the most perfunctory manner in which he conducted his examination of the jewels when he took charge. If the appearance of the false pearls was misleading he had absolutely no excuse for overlooking the deficiency in the number of the ladis and of the padakas. The evidence on the record, however, shows that the necklace is in the same condition as it was when he for the first time took charge, and so he could not have had anything to do with its tampering. But a man who was so culpably careless in such an important matter is in my opinion unfit to continue in service as sheristadar, and I have the less hesitation in recommending his immediate retirement on pension, as he has completed 56 years of age, and has been given an extension of service up to the end of the current official year.

12. As to Nanjundaiya's private box having been deposited in the Muzrai big box in the Treasury, it is in evidence that he had done so with the knowledge and consent of the Amildar at a time when, owing to the prevalence of plague, he lived in a shed and when that shed had been broken into by thieves, and that the box was subsequently returned to him by the present Amildar after an examination of the contents. No inference adverse to him can therefore be drawn.

Shroff Subbanna is shown to have had access to the Muzrai box. He denies it *in toto*, although his predecessor Krishnappa (retired) admits that he was dealing with the Muzrai jewels. His movements after the discovery of the fraud have been suspicious. His private character is reported to be not good. In these circumstances I have thought it unsafe to continue him as shroff. He will be dealt with suitably.

I regret the delay in submitting this report, due mainly to the fact that it took nearly two months to obtain the explanation of Amildar Guru Rao.

No. 829-39—Muz. F. 29-93, dated Bangalore, 29th October 1902.

Order thereon.—With reference to the above, the Government observe that, except the irregularity imputed to Mr. Guru Rao of having taken the temple jewels to his house for repairing them, which, however, he does not admit, Government do not see how he can be held accountable for the missing pearls. It is not denied that on one occasion shortly after this event (the respective dates being the 17th and the 22nd of March 1900) the said jewels were taken out of the Treasury and brought back after use in the temple. If on this occasion any defect was discovered, it is unreasonable to connect the loss with a prior event and hold the Amildar (Mr. Guru Rao) liable for it.

Muzrai, dated 29th October 1902.

2. The facts collected in the enquiry, which, it must be remarked, was unnecessarily protracted, do not enable Government to say with certainty, when and how the loss occurred. But, there is no mitigation of the serious and gross carelessness on the part of Nanjundaiya, Taluk Sheristadar, who received the charge of the jewel from the Amildar, Mr. Guru Rao, on the eve of his leaving the Taluk on transfer. He unnecessarily delayed the examination, and when actually conducting it, he showed himself most perfunctory and incapable. He was not able to see the jewel himself. He did not handle it. He did not even take the trouble of seeing that everything was as it was represented to be by Tirumalachar, an old Parpategar, and Muzrai Gumasta Subbanna, both of whom do not appear to be trustworthy or beyond reproach. But the fact remains that the jewel continued in the custody of Nanjundaiya till it was inspected again by Amildar Mr. Gopalakrishna Iyengar. There is no suggestion that this jewel had been taken out of the Treasury room, although before the transfer of the charge it is said that, on account of the difficulty to remove the big box, the small Muzrai box had been kept alone by itself in the Treasury room. The situation then is this:—There is no clear information as to when the jewel was tampered with. Nanjundaiya received charge of it without any demur and when he handed it back to Amildar Mr. Gopalakrishna Iyengar, the defect was found out and from the jewel had been abstracted good pearls and other articles worth Rs. 549. There can be no question as to the liability of Nanjundaiya to account for the loss thus caused in his charge, and this is the least punishment that he can be subjected to. The Government therefore direct that the value of the present loss be recovered from Sheristadar Nanjundaiya. In regard to the Deputy Commissioner's recommendation to retire him from service on account of his old age and inefficiency, separate orders will be issued.

3. Parpategar Tirumalachar and Muzrai Gumasta Subbanna, who were handling these jewels and who have not chosen to give or obtain information regarding the true origin of this case must, the Government direct, be dismissed the service.

4. The Government further direct that better care must be taken of the Muzrai jewels, and when Assistant Commissioners and other officers inspect Taluk Treasuries, they must invariably inspect the valuable property of the temples also.

ANANTASAMI RAO,
Deputy Secretary, Muzrai Department.

1902-03

GOVERNMENT OF MYSORE

MUZRAI

PROCEEDINGS

Dated 29th October 1902

No. $\frac{829\text{-}39}{\text{Muz. F. 29-93}}$

Directing the recovery of the value of the missing pearls, padakas, etc., of a real pearl necklace (deposited in the Gundlupet Taluk Treasury) belonging to the Sri Himavat Gopalaswami temple in the Gundlupet Taluk, from Sheristadar Nanjundaiya, and the dismissal of Parpategar Tirumalachar and Muzrai Gumasta Subbanna.

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Asst. Supt. of Police

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Amildar [illegible]

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Before me,

[illegible]

Asst. Supdt. of Police

28/11/07.

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2 [illegible] 12 [illegible]

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38 37 40 38

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20/3/1904

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1-2-1900 [illegible]

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Ask[illegible]

Take a mucholike from Devappa alias Annasuam[illegible]

Sig[illegible] 18/2/[illegible]

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10 [illegible]

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[illegible]
14-3-96.

S.W. — Deliver the articles to Shumbay [illegible] [illegible] & detain receipt. Police Deptt. Forward to Govt. as usual.

[illegible] 23/3/1900

[illegible]

[illegible]

[illegible]

[illegible] 130 [illegible]

[illegible] 24 [illegible]

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24-3-900

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30/3/1900

26-3-900 [illegible]

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29-8-96 [illegible] 14 [illegible]

6-11-96 [illegible]

3-8-96 [illegible]

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26-3-97 [illegible]

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[illegible] 264

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20-11-9

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1900

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[illegible]	[illegible] 3/5	

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1-12-99 [illegible]

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[illegible]

6-12-99 [illegible]

9-12-99 [illegible]

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11-12-99 [illegible]

18-12-99 [illegible]

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20-12-99 [illegible]

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1-7-90 [illegible]

1-7-90

4-7-90 [illegible]

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11/7/91

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28-3-93

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1893 [illegible]

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1896 [illegible]

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15 [illegible] 15 [illegible]

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4-10-96 [illegible]

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18 [illegible]

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15-3-98

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4/3/99

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12-4-1900

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17-4-1900

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These are old ones recently refe[rred]

by ~~[illegible]~~ Mr Subramany[a] Reddy [illegible]

[illegible signature]

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[illegible]

1-11-901

1083

8/17

910/18

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11 [illegible]

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416

16-10-901

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Deputy Secretary

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No 5233
19.11.07

20-11-907
1189
204

Forwarded.

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Dy Commissioner
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204

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25. 11. 901.

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16-10 [illegible] 4162

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25-11-[illegible]

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25/11/[illegible] [illegible]

[illegible] 25-11 (margin note)

[illegible]

[illegible] 25-11-91 [illegible]

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[illegible]

[illegible] 26/11/91

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[illegible] 16-11-907

[illegible]

[illegible] — The witnesses seem to me to be in a disturbed state of mind & hence begin to state untruth. I therefore beg to submit that if the enquiry is ordered to be conducted by a superior officer, I may watch the ~~men~~ whole prevailing upon the witnesses

[illegible signature]
20/11/07

[illegible] 3863

[illegible]

[illegible] 23.11.07 [illegible]

[illegible signature]
Offg. D. Commr

[illegible] 26/11/07

12/18 [illegible]

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XXII

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30-10-01

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21-11-01.

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5 1900 [illegible]

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20 - 1 - 902

Gundlupett Sheristedar Nanjundayya

Rs	
40	Appointed Sheristedar in May 1896 –
42	From May 1897
44	——— " ——— 1898
46	——— " ——— 1899
48	——— " ——— 1900
50	——— " ——— 1901

	Y	M	D
Total service on Rs 50/- = (From 1st May 1901 to 30th June 1893)	2 -	2 -	0
Period required to get ref of Rs 50/- as ensum ———	2	10	

INDIAN TELEGRAPH

	From Station

Words	Day	Hour	Minute	Official Instructions

To (Person) | From (Person)

Mysore Manager

Please bring these papers to me now please

[illegible] 30/5/03

BANGALORE 30 MY 03 POST

Reply telegram sent

File posted [illegible]

30/5/0[illegible]

From	L. N.	Sent to	L. N.
Hrs.	Mts. By	At Hrs.	Mts. By

Postmaster.

RATE CHARGE FOR INLAND TELEGRAMS

The address (including name of Sender, and name and residence of ... is transmitted free.

	First 8 words.	Each additional word.
Deferred Message ...	8 Annas	1 Anna.
Ordinary „ ...	1 Rupee ...	2 Annas.
Urgent „ ...	2 Rupees ...	4 Annas.

A group ... less 5 ... reckoned ... word.

No charge for delivery within a distance of 5 Miles.